



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

SUGIYAMA, T. et al. Atty. Ref.: 2635-40; Confirmation No. 2313

Appl. No. 10/001,800 TC/A.U. 1753

Filed: December 5, 2001 Examiner: Olsen,K.

For: GAS SENSING ELEMENT

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August 31, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION UNDER RULE 116

Responsive to the Official Action dated March 4, 2004, kindly enter the following remarks.

REMARKS

Reconsideration and allowance in view of the following remarks are respectfully requested.

Claims 1-11 were rejected under 35 USC 102(b) as being anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Fujii et al. Claim 1-11 were also rejected, in the alternative, under 35 USC 103(a) as being unpatentable over Fujii in view of Mase. Applicant respectfully traverses these rejections.

The Examiner states that Fujii teaches the use of a protective layer 11 having a thickness of 100 to 300 microns (col. 7, lines 16-19) as well as an average pore size diameter of 0.01 to 0.3 microns (paragraph bridging cols. 9 and 10). The Examiner then